IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 24296 of 2005

Between:

Chalamadugu Madhava Rao, S/o. Ramaiah,
R/o. Rythupeta, Nandigama Village & Mandal,
Krishna District.

..... PETITIONER

AND

1. The District Collector, Ranga Reddy District,

Lakdikapool, Hyderabad.
2. The District Registrar of Assurances, Ranga Reddy District,

Moosapet, Hyderabad.
3. The Sub Registrar, Medchal, Ranga Reddy District at Medchal.

.....RESPONDENTS

The Court made the following:

ORDER:

Questioning the action of the first respondent in issuing the Circular Instructions in Ref.Rc.No.E2/206/2001, dated 06.02.2001 directing the Sub. Registrars not to entertain any documents for registration and to direct the 3rd respondent to receive the conveyance deeds executed by the petitioner for

registration, the present writ petition has been filed.

The case of the petitioner, in brief, is that he and one Smt. Paruchuru Rani have purchased house Plot No.4, which forms part of Survey Nos.227/1 and 228/A of Bahadurpalli village, Qutbullahpur Mandal, Ranga Reddy District under a registered sale deed dated 18.01.1984 and since then they have been in continuous possession and enjoyment of the said plot and their plot was also approved by the Bahadurpalli Gram Panchayat. When they approached the 3rd respondent for registering the partition deed on 25.10.2005, the 3rd respondent informed them to get No Objection Certificate from the 1st respondent for the purpose of registration, as the 1st respondent issued the impugned circular for not registering any documents. Therefore, he is not in a position to alienate his share of land to third parties. Further, in similar circumstances, the neighbouring plot owners of the same survey numbers adjacent to the plot of the petitioner, filed W.P.No.8589 of 2005 challenging the action of the respondent Nos. 2 and 3 in not receiving the sale deeds and the same was disposed of on 26.04.2005 on the ground that there is no notification under Section 22-A of the Registration Act, 1908 prohibiting the registration in respect of the land-in-question. Hence, the present writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

Having regard to the fact that the similar writ petition i.e. W.P.No.8589 of 2005, arose on the same set of facts, was disposed of by this Court, without going into the merits of the case, I deem it appropriate to dispose of the writ petition directing the respondents to receive the documents-in-question as and when presented by the petitioner in respect of the land-in-question and to process the same, in accordance with law, without taking into account the Circular Instructions dated 06.02.2001. However, It is made clear that in case there is any other objection for registering the documents-in-question, it is open to the respondent to raise such objections, but the same shall be communicated to the petitioner. No costs.

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(V. ESWARAIAH, J)

Date: 15.11.2005

Ksn